

Union Calendar No. 159

114TH CONGRESS
1ST SESSION

H. R. 1831

[Report No. 114-211]

To establish the Commission on Evidence-Based Policymaking, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 16, 2015

Mr. RYAN of Wisconsin introduced the following bill; which was referred to the Committee on Oversight and Government Reform

JULY 16, 2015

Additional sponsor: Mr. YOUNG of Indiana

JULY 16, 2015

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on April 16, 2015]

A BILL

To establish the Commission on Evidence-Based
Policymaking, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Evidence-Based Policy-*
5 *making Commission Act of 2015”.*

6 **SEC. 2. ESTABLISHMENT.**

7 *There is established in the executive branch a commis-*
8 *sion to be known as the “Commission on Evidence-Based*
9 *Policymaking” (in this Act referred to as the “Commis-*
10 *sion”).*

11 **SEC. 3. MEMBERS OF THE COMMISSION.**

12 (a) *NUMBER AND APPOINTMENT.—The Commission*
13 *shall be comprised of 15 members as follows:*

14 (1) *Three shall be appointed by the President, of*
15 *whom—*

16 (A) *one shall be an academic researcher,*
17 *data expert, or have experience in administering*
18 *programs;*

19 (B) *one shall have expertise in database*
20 *management, confidentiality, and privacy mat-*
21 *ters; and*

22 (C) *one shall be the Director of the Office of*
23 *Management and Budget (or the Director’s des-*
24 *ignee).*

1 (2) *Three shall be appointed by the Speaker of
2 the House of Representatives, of whom—*

3 (A) *two shall be academic researchers, data
4 experts, or have experience in administering pro-
5 grams; and*

6 (B) *one shall have expertise in database
7 management, confidentiality, and privacy mat-
8 ters.*

9 (3) *Three shall be appointed by the Minority
10 Leader of the House of Representatives, of whom—*

11 (A) *two shall be academic researchers, data
12 experts, or have experience in administering pro-
13 grams; and*

14 (B) *one shall have expertise in database
15 management, confidentiality, and privacy mat-
16 ters.*

17 (4) *Three shall be appointed by the Majority
18 Leader of the Senate, of whom—*

19 (A) *two shall be academic researchers, data
20 experts, or have experience in administering pro-
21 grams; and*

22 (B) *one shall have expertise in database
23 management, confidentiality, and privacy mat-
24 ters.*

1 (5) *Three shall be appointed by the Minority
2 Leader of the Senate, of whom—*

3 (A) *two shall be academic researchers, data
4 experts, or have experience in administering pro-
5 grams; and*

6 (B) *one shall have expertise in database
7 management, confidentiality, and privacy mat-
8 ters.*

9 (b) *EXPERTISE.—In making appointments under this
10 section, consideration should be given to individuals with
11 expertise in economics, statistics, program evaluation, data
12 security, confidentiality, or database management.*

13 (c) *CHAIRPERSON AND Co-CHAIRPERSON.—The Presi-
14 dent shall select the chairperson of the Commission and the
15 Speaker of the House of Representatives shall select the co-
16 chairperson.*

17 (d) *TIMING OF APPOINTMENTS.—Appointments to the
18 Commission shall be made not later than 45 days after the
19 date of enactment of this Act.*

20 (e) *TERMS; VACANCIES.—Each member shall be ap-
21 pointed for the duration of the Commission. Any vacancy
22 in the Commission shall not affect its powers, and shall be
23 filled in the manner in which the original appointment was
24 made.*

1 (f) COMPENSATION.—*Members of the Commission shall
2 serve without pay.*

3 (g) TRAVEL EXPENSES.—*Each member of the Com-
4 mission shall be allowed travel expenses, including per diem
5 in lieu of subsistence, at rates authorized for employees of
6 agencies under subchapter I of chapter 57 of title 5, United
7 States Code, while away from their homes or regular places
8 of business in the performance of services for the Commis-
9 sion.*

10 **SEC. 4. DUTIES OF THE COMMISSION.**

11 (a) STUDY OF DATA.—*The Commission shall conduct
12 a comprehensive study of the data inventory, data infra-
13 structure, and statistical protocols related to Federal policy-
14 making and the agencies responsible for maintaining that
15 data to—*

16 (1) *determine the optimal arrangement for which
17 administrative data on Federal programs and tax ex-
18 penditures and related data series may be integrated
19 and made available to facilitate program evaluation,
20 continuous improvement, policy-relevant research,
21 and cost-benefit analyses by qualified researchers and
22 institutions;*

23 (2) *make recommendations on how data infra-
24 structure and protocols should be modified to best ful-
25 fill the objectives identified in paragraph (1); and*

1 (3) make recommendations on how best to incor-
2 porate outcomes measurement, institutionalize ran-
3 domized controlled trials, and rigorous impact anal-
4 ysis into program design.

5 (b) *CLEARINGHOUSE.*—In undertaking the study re-
6 quired by subsection (a), the Commission shall consider
7 whether a clearinghouse for program and survey data
8 should be established and how to create such a clearing-
9 house. The Commission shall evaluate—

10 (1) what administrative data are relevant for
11 program evaluation and Federal policy-making and
12 should be included in a potential clearinghouse;

13 (2) which survey data the administrative data
14 identified in paragraph (1) may be linked to, in ad-
15 dition to linkages across administrative data series;

16 (3) what are the legal and administrative bar-
17 riers to including or linking these data series;

18 (4) what data-sharing infrastructure should be
19 used to facilitate data merging and access for research
20 purposes;

21 (5) how a clearinghouse could be self-funded;

22 (6) which types of researchers, officials, and in-
23 stitutions should have access to data and what their
24 qualifications should be;

1 (7) what limitations should be placed on the use
2 of data provided;

3 (8) how to protect information and ensure individual
4 privacy and confidentiality;

5 (9) how data and results of research can be used
6 to inform program administrators and policymakers
7 to improve program design; and

8 (10) what incentives may facilitate interagency
9 sharing of information to improve programmatic effectiveness
10 and enhance data accuracy and comprehensiveness.

12 (c) REPORT.—Upon the affirmative vote of at least
13 three-quarters of the members of the Commission, the Commission
14 shall submit to the President and Congress a detailed statement of its findings and conclusions as a result
15 of the activities required by subsections (a) and (b), together
16 with its recommendations for such legislation or administrative actions as the Commission considers appropriate in
17 light of the results of the study.

20 (d) DEADLINE.—The report under subsection (c) shall
21 be submitted not later than the date that is 15 months after
22 the date a majority of the members of the Commission are
23 appointed pursuant to section 3.

24 (e) DEFINITION.—In this section, the term “administrative data” means data—

- 1 (1) held by an agency or a contractor or grantee
2 of an agency (including a State or unit of local gov-
3 ernment); and
4 (2) collected for other than statistical purposes.

5 **SEC. 5. OPERATION AND POWERS OF THE COMMISSION.**

6 (a) *EXECUTIVE BRANCH ASSISTANCE.*—The heads of
7 the following agencies shall advise and consult with the
8 Commission on matters within their respective areas of re-
9 sponsibility:

- 10 (1) *The Bureau of the Census.*
11 (2) *The Internal Revenue Service.*
12 (3) *The Department of Health and Human Serv-
13 ices.*
14 (4) *The Department of Agriculture.*
15 (5) *The Department of Housing and Urban De-
16 velopment.*
17 (6) *The Social Security Administration.*
18 (7) *The Department of Education.*
19 (8) *The Department of Justice.*
20 (9) *The Office of Management and Budget.*
21 (10) *The Bureau of Economic Analysis.*
22 (11) *The Bureau of Labor Statistics.*
23 (12) *Any other agency, as determined by the
24 Commission.*

1 (b) *MEETINGS.*—*The Commission shall meet not later
2 than 30 days after the date upon which a majority of its
3 members have been appointed and at such times thereafter
4 as the chairperson or co-chairperson shall determine.*

5 (c) *RULES OF PROCEDURE.*—*The chairperson and co-
6 chairperson shall, with the approval of a majority of the
7 members of the Commission, establish written rules of proce-
8 dure for the Commission, which shall include a quorum re-
9 quirement to conduct the business of the Commission.*

10 (d) *HEARINGS.*—*The Commission may, for the pur-
11 pose of carrying out this Act, hold hearings, sit and act
12 at times and places, take testimony, and receive evidence
13 as the Commission considers appropriate.*

14 (e) *CONTRACTS.*—*The Commission may contract with
15 and compensate government and private agencies or per-
16 sons for any purpose necessary to enable it to carry out
17 this Act.*

18 (f) *MAILS.*—*The Commission may use the United
19 States mails in the same manner and under the same condi-
20 tions as other agencies of the Federal Government.*

21 (g) *GIFTS.*—*The Commission may accept, use, and
22 dispose of gifts or donations of services or property.*

23 **SEC. 6. FUNDING.**

24 *Subject to the availability of appropriations—*

1 *(1) at the request of the Director of the Census,*
2 *the agencies identified as “Principal Statistical Agen-*
3 *cies” in the report, published by the Office of Manage-*
4 *ment and Budget, entitled “Statistical Programs of*
5 *the United States Government, Fiscal Year 2015”*
6 *shall provide funds, in a total amount not to exceed*
7 *\$3,000,000, to the Director for purposes of carrying*
8 *out the activities of the Commission as provided in*
9 *this Act; and*

10 *(2) the Bureau of the Census shall provide ad-*
11 *ministrative support to the Commission, which may*
12 *include providing physical space at, and access to, the*
13 *headquarters of the Bureau of the Census, located in*
14 *Suitland, Maryland.*

15 **SEC. 7. PERSONNEL.**

16 *(a) DIRECTOR.—The Commission shall have a Direc-*
17 *tor who shall be appointed by the chairperson with the con-*
18 *currence of the co-chairperson. The Director shall be paid*
19 *at a rate of pay established by the chairperson and co-chair-*
20 *person, not to exceed the annual rate of basic pay payable*
21 *for level V of the Executive Schedule (section 5316 of title*
22 *5, United States Code).*

23 *(b) STAFF.—The Director may appoint and fix the*
24 *pay of additional staff as the Director considers appro-*
25 *priate.*

1 (c) EXPERTS AND CONSULTANTS.—*The Commission
2 may procure temporary and intermittent services under
3 section 3109(b) of title 5, United States Code, at rates for
4 individuals which do not exceed the daily equivalent of
5 the annual rate of basic pay for a comparable position paid
6 under the General Schedule.*

7 **SEC. 8. TERMINATION.**

8 *The Commission shall terminate not later than 18
9 months after the date of enactment of this Act.*

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